

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

MARSHA TWYMAN

Plaintiff

V.

M. JOHN BERRY,

Civil Action No. 2:08cv519

and

**UNITED STATES OFFICE OF
PERSONNEL MANAGEMENT**

Defendants.

**PLAINTIFF TWYMAN’S MOTION FOR
PARTIAL SUMMARY JUDGMENT AS TO COUNT I**

Plaintiff Marsha Twyman hereby moves for partial summary judgment awarding her judgment under Count I of her Complaint pursuant to Fed. R. Civ. P. 56. Plaintiff Twyman hereby moves for all relief to which she is entitled, including: reinstatement to her position; back pay; compensation for loss of benefits; all attorneys fees and costs. The reasons offered in support of this motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

MARSHA TWYMAN

By: /s/
James H. Shoemaker, Jr.
VSB No. 33148
Veronica E. Meade Sheppard
VSB No. 66727
Patten, Wornom, Hatten & Diamonstein, L.C.
12350 Jefferson Avenue, Suite 300

Newport News, Virginia 23602
Telephone: (757) 223-4580
Facsimile: (757) 223-4518
jshoemaker@pwhd.com
vsheppard@pwhd.com

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2009, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Kent P. Porter
Assistant United States Attorney
Attorney for Federal Defendants
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Telephone: 757-441-6331
Facsimile: 757-441-6689
Kent.Porter@usdoj.gov

_____/s/
James H. Shoemaker, Jr., VSB No. 33148
Veronica E. Meade Sheppard, VSB No. 66727
Counsel for Plaintiff
Patten, Wornom, Hatten & Diamonstein, L.C.
12350 Jefferson Avenue, Suite 300
Newport News, Virginia 23602
Telephone: (757) 223-4580
Facsimile: (757) 223-4518
jshoemaker@pwhd.com
vsheppard@pwhd.com